

## REMARKS

### Summary

Claims 1-8, 20, 32, 34, 46-47, and 49-74 were pending in this application. Claims 1, 6, 8, 20, 51, 52, 55, 65, 66, 58, and 70 have been amended, claims 5 and 60 canceled, and claims 75 and 76 added. Claims 1-4, 6-8, 20, 32, 34, 46-47, 50-59, 61-63, and 65-76 are pending.

### Rejection of Claims

Claims 56-60 and 69-73 were rejected under 35 U.S.C. §112 for failing to comply with the written description requirement. Specifically, the Office Action stated that the element “a plurality of fans disposed on opposing sides of the rack between adjacent trays” was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors had possession of the claimed invention. The Office Action argued that the specification and drawings described the fans as only on one side of the rack. Claims 56 and 69 have been amended to clarify that the fans are “disposed on the front of the rack between adjacent trays generally aligned proximate and parallel to the first and second vertical side rails.” The figures, particularly Figure 5, show a plurality of fans between adjacent trays on the front of the rack aligned proximate and parallel to both of the vertical side rails.

Claims 1-8, 20, 32, 34, 46, 47, 50-60, and 61-74 were rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Specifically, the Office Action objected to the element “being large enough to permit the cables to pass between the spool...” in claims 1-8, 20, 32, 34, 46, 47, 49, 50-60, and 61-74 and to the element “sized to permit a single cable to be retained therein” in claims 58 and 70. Those elements have been removed.

Claim 55 was further rejected under 35 U.S.C. §112 for having an insufficient antecedent basis for “each opening.” Claim 55 now depends on claim 51 and refers to “the openings” which has an antecedent basis derived from “the rear channel has openings” in claim 51.

Claims 1-6, 8, 20, 32, 34, 46, 47, 49-50, 52-55, 61-64, and 66-74 have been rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 6,250,816 to *Johnston et al.*, or under 35 U.S.C. §103 as being unpatentable over *Johnston* either alone or in view of either *Bechamps et al.*, U.S. Patent No. 6,256,444, or *Larsen et al.*, U.S. Patent No. 6,364,834. Claim 1

has been amended to include “[a] rear channel adjacent to and extending substantially perpendicular to the front-to-back channel.” Claim 20 has been amended to include:

a slack manager having a plurality of spools at different elevations, the frame of the rack having a first vertical side rail to which the slack manager of the rack and the tray of the rack are connected on opposite sides, and wherein the slack manager of a first of the adjacent racks is connected to a second of the adjacent racks such that the slack manager of the first of the adjacent racks is disposed between the adjacent racks

None of the cited prior art discloses or suggests a cable management rack or multiple-rack system with the elements claimed in independent claims 1 and 20.

In particular, none of the prior art discloses a pass-through tray with a front-to-back channel having a width that is substantially constant along its length. While the Office Action did argue that *Johnston* discloses such a pass-through tray, in actuality, *Johnston* merely discloses a cabinet with a connector plate for the **interconnection** of fiber optic cables. The specification of *Johnston* does not mention a “front-to-back channel” or any “pass-through” function for its cabinet. In fact, *Johnston*’s disclosure of a cabinet with “a number of connector plates 70 for interconnecting ends of fiber optic cable entering and exiting the cabinet 11” (Col. 5. Lines 21-24) would prevent one of skill in the relevant art from looking to *Johnston* for any purpose related to passing fiber optic cables from the front of the rack to the back without an intervening connection plate.

Moreover, *Johnston* fails to disclose a tray with a front-to-back channel width that is substantially constant along its length. The cabinet disclosed in *Johnston* has a “frame 108” and “connector plates 70” which would cause substantial restrictions in any alleged front-to-back channel. Thus, any such structure could not have a substantially constant width. As a result, independent claims 1 and 20 are believed to be in condition for allowance.

Additionally, the remainder of the claims, claims 2-4, 32, 34, 46-47, 49, 50-59, 61-63, and 65-76, depend either directly or indirectly upon claims 1 or 20, thus incorporating their patentable elements. As a result, is believed these claims are also in condition for allowance.

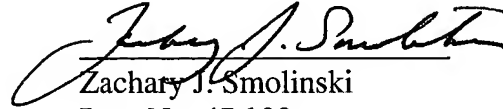
## **Conclusion**

Applicants submit that the pending claims are in condition for allowance. If the Examiner believes that a telephone interview would be desirable to clear up further issues, the Examiner is encouraged to contact the undersigned at the telephone number below. Applicants herein petition for any extension of time necessary for the submission of this response. The

Commissioner is authorized to charge the three-month extension fee, as well as any other fee deemed necessary for the submission of this response, except the issue fee, to Deposit Account Number 16-0228.

Respectfully submitted,

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